

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DIGITAL ENCODING FACTORY, LLC,)
MEDIA HOLDINGS, LLC, and)
ELECTRONIC DOCUMENT)
ASSOCIATES OF INDIANA, INC.)

Plaintiffs,)

v.)

IRON MOUNTAIN INFORMATION)
MANAGEMENT, INC.,)

Defendant.)

2:06cv1449

Electronic Filing

Judge David S. Cercone

Magistrate Judge Lisa Pupo Lenihan

MEMORANDUM ORDER

Plaintiffs' Complaint was received by the Clerk of Court and was subsequently referred to United States Magistrate Judge Lisa Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation (the "R&R"), filed on July 1, 2007, recommended that Defendants' Motion to Dismiss be denied, but that Defendants' request to strike the plea for attorney's fees should be granted. Objections were filed by the Defendant on July 23, 2007, and a Response was filed by the Plaintiff on August 8, 2007.

After review of the pleadings in the case, together with the Report and Recommendation and the parties' pleadings subsequent thereto, the following Order is entered:

15

AND NOW, this 15 day of August, 2007:

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss is denied, except that the motion to strike Plaintiff's plea for fees is granted.

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Lenihan is adopted as the Opinion of the Court.



David Stewart Cercone
United State District Judge

cc: Honorable Lisa Pupo Lenihan
United States Magistrate Judge

Daniel P. Lynch, Esquire
Lynch Weis
501 Smith Drive
Suite 3
Cranberry Professional Park
Cranberry Township, PA 16066

Carrie J. Fletcher, Esquire
Michael R. Pontrelli, Esquire
Foley & Lardner
111 Huntington Avenue
Boston, MA 02199

C. Shawn Dryer, Esquire
Kevin K. Douglass, Esquire
Babst, Calland, Clements & Zomnir
Two Gateway Center
8th Floor
Pittsburgh, PA 15222